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Attorneys for Defendant/Third Party Plaintiff,  
JYM CORPORATION

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

QUESTECH FINANCIAL CALIFORNIA, )  
LLC, )

Plaintiff, )

vs. )

JYM CORPORATION, )

Defendant and Third Party Plaintiff, )

vs. )

BASKIN- ROBBINS USA, CO.; TOGOS )  
EATERIES, INC., )

Third-Party Defendants. )

Case No. CIV.S-04-2553 FCD GGH

**STIPULATION AND ORDER  
OF DISMISSAL**

**STIPULATION**

NOW COMES Third Party Plaintiff, JYM CORPORATION, by and through its attorney Gregory M. Finch, and the Third Party Defendants BASKIN-ROBBINS USA, CO. and TOGOS EATERIES, INC., by and through their attorney Daniel L. Egan, and as all matters in dispute between the parties to the above-captioned case having been satisfactorily compromised and settled:

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1 IT IS STIPULATED AND AGREED by and between the parties, that the cause be  
2 dismissed, with prejudice, with each party to bear its own costs and expenses;

3 IT IS FURTHER STIPULATED AND AGREED by and between the parties, that an  
4 Order pursuant to the foregoing may be entered of record without further notice to either party,  
5 upon presentation of this Stipulation of Dismissal; and

6 WHEREFORE, the parties pray that the Court enter an Order of Dismissal, dismissing  
7 the Amended Third Party Complaint of Third Party Plaintiff, with prejudice.

8 DATED: May 11, 2006

COHEN♦DURRETT, LLP,

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11 GREGORY M. FINCH  
12 Attorneys for Third Party Plaintiff  
JYM CORPORATION

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14 DATED: May \_\_\_\_\_, 2006

Wilke, Fleury, Hoffelt, Gould & Birney, LLP

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17 DANIEL L. EGAN  
18 Attorney for Third Party Defendants  
BASKIN-ROBBINS USA, CO. and  
TOGOS EATERIES, INC.

19 **ORDER**

20 IT IS HEREBY ORDERED that the above-captioned matter, by stipulation and between  
21 the parties to this action through their designated counsel, be dismissed, with prejudice, pursuant  
22 to FRCP 41(a)(1).

23 Dated: May 17, 2006

/s/ Frank C. Damrell Jr.

24 HONORABLE FRANK C. DAMRELL, JR.  
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